

**Executive Summary – Enforcement Matter – Case No. 50006**  
**MULTI-COUNTY WATER SUPPLY CORPORATION**  
**RN101428746**  
**Docket No. 2015-0154-PWS-E**

**Order Type:**

Findings Agreed Order

**Findings Order Justification:**

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

**Media:**

PWS

**Small Business:**

Yes

**Location(s) Where Violation(s) Occurred:**

MULTI-COUNTY WSC, 4095 West U.S. Highway 84 near Gatesville, Coryell County

**Type of Operation:**

Public water supply

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** June 19, 2015

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$838

**Amount Deferred for Expedited Settlement:** \$0

**Amount Deferred for Financial Inability to Pay:** \$0

**Total Paid to General Revenue:** \$838

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Supplemental Environmental Project ("SEP") Conditional Offset:** \$0

Name of SEP: N/A

**Compliance History Classifications:**

Person/CN - N/A

Site/RN - N/A

**Major Source:** Yes

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** April 2014

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** December 16, 2014 and January 12-23, 2015

**Date(s) of NOE(s):** January 23, 2015 and February 11, 2015

**Executive Summary – Enforcement Matter – Case No. 50006**  
**MULTI-COUNTY WATER SUPPLY CORPORATION**  
**RN101428746**  
**Docket No. 2015-0154-PWS-E**

***Violation Information***

1. Failed to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations [30 TEX. ADMIN. CODE § 290.46(s)(2)(C)(i)].
2. Failed to make water works operation and maintenance records available for review by Commission personnel during the investigation [30 TEX. ADMIN. CODE § 290.46(f)(2)].
3. Failed to operate the disinfection equipment to maintain a disinfectant residual of at least 0.5 milligrams per liter ("mg/L") total chlorine throughout the distribution system at all times [30 TEX. ADMIN. CODE §§ 290.46(d)(2)(B) and 290.110(b)(4), and TEX. HEALTH & SAFETY CODE § 341.0315(c)].
4. Failed to maintain internal procedures to notify the Executive Director by a toll-free reporting phone number immediately following certain events if the event may negatively impact the production or delivery of safe and adequate drinking water [30 TEX. ADMIN. CODE § 290.46(w)].
5. Failed to comply with the maximum contaminant level ("MCL") of 0.080 mg/L for total trihalomethanes ("TTHM"), based on the locational running annual average [30 TEX. ADMIN. CODE § 290.115(f)(1) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondent has implemented the following corrective measures:

- a. By December 17, 2014, submitted documentation that the residual disinfectant concentration in the water at the Plant 5 distribution system was 0.56 mg/L total chlorine.
- b. By December 19, 2014, submitted a copy of the required internal procedures to notify the Executive Director of events that may negatively impact the production and delivery of safe and adequate drinking water.
- c. By December 30, 2014, submitted documentation that it is verifying the accuracy of the manual disinfectant residual analyzers is being verified at least once every 90 days using chlorine solutions of known concentrations.

**Executive Summary – Enforcement Matter – Case No. 50006**  
**MULTI-COUNTY WATER SUPPLY CORPORATION**  
**RN101428746**  
**Docket No. 2015-0154-PWS-E**

**Technical Requirements:**

The Order will require the Respondent to:

- a. Within 30 days:
  - i. Begin compiling and maintaining properly completed monthly water works operations reports and maintenance records, including but not limited to the American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") certification for the hypochlorite ("HT") and liquid ammonium sulfate ("LAS"); and
  - ii. Update the Facility's operational guidance, conduct employee training, and begin operating the system so that a disinfectant residual concentration of at least 0.5 mg/L total chlorine is maintained throughout the distribution system at all times. This provision will be satisfied upon six months of daily compliant monitoring and reporting.
- b. Within 45 days, submit written certification to demonstrate compliance with a.i.
- c. Within 225 days, submit written certification to demonstrate compliance with a.ii.
- d. Within 365 days, return to compliance with the MCL for TTHM based on the locational running annual average.
- e. Within 380 days, submit written certification to demonstrate compliance with d.

***Litigation Information***

**Date Petition(s) Filed:** N/A  
**Date Answer(s) Filed:** N/A  
**SOAH Referral Date:** N/A  
**Hearing Date(s):** N/A  
**Settlement Date:** N/A

***Contact Information***

**TCEQ Attorney:** N/A  
**TCEQ Enforcement Coordinator:** Ryan Byer, Enforcement Division, Enforcement Team 2, MC 169, (512) 239-2571; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456  
**TCEQ SEP Coordinator:** N/A  
**Respondent:** Jimmy Wood, President for Board of Directors, MULTI-COUNTY WATER SUPPLY CORPORATION, P.O. Box 1006, Gatesville, Texas 76528-6006  
**Respondent's Attorney:** N/A





# Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

<b>DATES</b>	<b>Assigned</b>	26-Jan-2015	<b>Screening</b>	29-Jan-2015	<b>EPA Due</b>	31-Mar-2015
	<b>PCW</b>	30-Jan-2015				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	MULTI-COUNTY WATER SUPPLY CORPORATION				
<b>Reg. Ent. Ref. No.</b>	RN101428746				
<b>Facility/Site Region</b>	9-Waco	<b>Major/Minor Source</b>	Major		

## CASE INFORMATION

<b>Enf./Case ID No.</b>	50006	<b>No. of Violations</b>	1
<b>Docket No.</b>	2015-0154-PWS-E	<b>Order Type</b>	Findings
<b>Media Program(s)</b>	Public Water Supply	<b>Government/Non-Profit</b>	Yes
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Ryan Byer
		<b>EC's Team</b>	Enforcement Team 2
<b>Admin. Penalty \$ Limit Minimum</b>	\$50	<b>Maximum</b>	\$1,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$300
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## ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

<b>Compliance History</b>	15.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$45
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Notes: Enhancement for three NOV's with the same/similar violation.

<b>Culpability</b>	No	0.0% Enhancement	<b>Subtotal 4</b>	\$0
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Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$0
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$759
Estimated Cost of Compliance	\$5,000

\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$345
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	\$345
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$345
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<b>DEFERRAL</b>	0.0% Reduction	<b>Adjustment</b>	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

<b>PAYABLE PENALTY</b>	\$345
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Screening Date 29-Jan-2015

Docket No. 2015-0154-PWS-E

PCW

Respondent MULTI-COUNTY WATER SUPPLY CORPORATION

Policy Revision 4 (April 2014)

Case ID No. 50006

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101428746

Media [Statute] Public Water Supply

Enf. Coordinator Ryan Byer

## Compliance History Worksheet

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	3	15%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 15%

## &gt;&gt; Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

Compliance  
History  
Notes

Enhancement for three NOVs with the same/similar violation.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, &amp; 7) 15%

## &gt;&gt; Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 15%

Screening Date 29-Jan-2015

Docket No. 2015-0154-PWS-E

PCW

Respondent MULTI-COUNTY WATER SUPPLY CORPORATION

Policy Revision 4 (April 2014)

Case ID No. 50006

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101428746

Media [Statute] Public Water Supply

Enf. Coordinator Ryan Byer

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.115(f)(1) and Tex. Health &amp; Safety Code § 341.0315(c)

## Violation Description

Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter ("mg/L") for total trihalomethanes ("TTHM"), based on the locational running annual average. Specifically, the locational running annual average concentration for TTHM at Stage 2 Disinfection Byproducts site 1 was 0.135 mg/L for the second quarter of 2014, 0.151 mg/L for the third quarter of 2014, and 0.131 mg/L for the fourth quarter of 2014.

Base Penalty \$1,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual		X	
Potential			

Percent 30.0%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Exceeding the MCL for TTHM caused the persons served by the Facility to be exposed to significant amounts of contaminants which do not exceed levels that are protective of human health.

Adjustment \$700

\$300

## Violation Events

Number of Violation Events 1

274 Number of violation days

mark only one  
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	X
single event	

Violation Base Penalty \$300

One annual event is recommended.

## Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$300

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$759

Violation Final Penalty Total \$345

This violation Final Assessed Penalty (adjusted for limits) \$345

# Economic Benefit Worksheet

**Respondent** MULTI-COUNTY WATER SUPPLY CORPORATION  
**Case ID No.** 50006  
**Reg. Ent. Reference No.** RN101428746  
**Media** Public Water Supply  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$5,000	30-Jun-2014	30-Aug-2016	2.17	\$36	\$723	\$759
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount necessary to implement an alternative method of disinfection, calculated from the last day of the first quarter of noncompliance to the estimated date of compliance.

## Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$759





# Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

<b>DATES</b>	<b>Assigned</b>	9-Feb-2015	<b>Screening</b>	11-Feb-2015	<b>EPA Due</b>	
	<b>PCW</b>	11-Feb-2015				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	MULTI-COUNTY WATER SUPPLY CORPORATION		
<b>Reg. Ent. Ref. No.</b>	RN101428746		
<b>Facility/Site Region</b>	9-Waco	<b>Major/Minor Source</b>	Major

## CASE INFORMATION

<b>Enf./Case ID No.</b>	50006	<b>No. of Violations</b>	4
<b>Docket No.</b>	2015-0154-PWS-E	<b>Order Type</b>	Findings
<b>Media Program(s)</b>	Public Water Supply	<b>Government/Non-Profit</b>	Yes
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Ryan Byer
		<b>EC's Team</b>	Enforcement Team 2
<b>Admin. Penalty \$ Limit Minimum</b>	\$50	<b>Maximum</b>	\$1,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$460
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## ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

<b>Compliance History</b>	15.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$69
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Notes: Enhancement for three NOV's with the same/similar violation.

<b>Culpability</b>	No	0.0% Enhancement	<b>Subtotal 4</b>	\$0
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Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	-\$74
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts: \$224  
Estimated Cost of Compliance: \$455  
\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$455
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	\$455
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$493
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<b>DEFERRAL</b>	0.0% Reduction	<b>Adjustment</b>	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

<b>PAYABLE PENALTY</b>	\$493
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Screening Date 11-Feb-2015

Docket No. 2015-0154-PWS-E

PCW

Respondent MULTI-COUNTY WATER SUPPLY CORPORATION

Policy Revision 4 (April 2014)

Case ID No. 50006

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101428746

Media [Statute] Public Water Supply

Enf. Coordinator Ryan Byer

## Compliance History Worksheet

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	3	15%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 15%

## &gt;&gt; Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

Compliance  
History  
Notes

Enhancement for three NOVs with the same/similar violation.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, &amp; 7) 15%

## &gt;&gt; Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 15%

Screening Date 11-Feb-2015

Docket No. 2015-0154-PWS-E

PCW

Respondent MULTI-COUNTY WATER SUPPLY CORPORATION

Policy Revision 4 (April 2014)

Case ID No. 50006

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101428746

Media [Statute] Public Water Supply

Enf. Coordinator Ryan Byer

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 290.46(s)(2)(C)(i)

Violation Description

Failed to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations.

Base Penalty \$1,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 15.0%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to properly verify the accuracy of the manual disinfectant residual analyzer could expose persons served by the Facility to a significant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$850

\$150

## Violation Events

Number of Violation Events 1

14 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$150

One quarterly event is recommended, calculated from the date of the investigation, December 16, 2014, to the date of compliance, December 30, 2014.

## Good Faith Efforts to Comply

25.0%

Reduction \$37

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes

The Respondent achieved compliance on December 30, 2014.

Violation Subtotal \$113

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$18

Violation Final Penalty Total \$136

This violation Final Assessed Penalty (adjusted for limits) \$136

# Economic Benefit Worksheet

Respondent MULTI-COUNTY WATER SUPPLY CORPORATION  
 Case ID No. 50006  
 Reg. Ent. Reference No. RN101428746  
 Media Public Water Supply  
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

## Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling	\$60	14-Sep-2014	30-Dec-2014	0.29	\$1	\$18	\$18
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to check the manual disinfectant residual analyzer for accuracy at least once every 90 days, calculated from 90 days prior to the investigation date to the date of compliance.

Approx. Cost of Compliance \$60

TOTAL \$18

Screening Date 11-Feb-2015

Docket No. 2015-0154-PWS-E

PCW

Respondent MULTI-COUNTY WATER SUPPLY CORPORATION

Policy Revision 4 (April 2014)

Case ID No. 50006

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101428746

Media [Statute] Public Water Supply

Enf. Coordinator Ryan Byer

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code § 290.46(f)(2)

Violation Description

Failed to make water works operation and maintenance records available for review by Commission personnel during the investigation. Specifically, records of American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") certification for the calcium hypochlorite and liquid ammonium sulfate ("LAS") were not available for review.

Base Penalty \$1,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1.0%

Matrix Notes

Less than 30% of the rule requirement was not met.

Adjustment \$990

\$10

## Violation Events

Number of Violation Events 1

57 Number of violation days

mark only one  
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$10

One single event is recommended.

## Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$10

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$2

Violation Final Penalty Total \$12

This violation Final Assessed Penalty (adjusted for limits) \$50

# Economic Benefit Worksheet

**Respondent** MULTI-COUNTY WATER SUPPLY CORPORATION

**Case ID No.** 50006

**Reg. Ent. Reference No.** RN101428746

**Media** Public Water Supply

**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	16-Dec-2014	27-Aug-2015	0.70	\$2	n/a	\$2
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

**Notes for DELAYED costs**

The delayed costs include the estimated amount to compile and begin maintaining a record of the ANSI/NSF certification for all chemicals in use at the Facility (\$45 per record x one record), calculated from the date of the investigation to the estimated date of compliance.

## Avoided Costs

### ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

**Approx. Cost of Compliance**

\$45

**TOTAL**

\$2

Screening Date 11-Feb-2015

Docket No. 2015-0154-PWS-E

PCW

Respondent MULTI-COUNTY WATER SUPPLY CORPORATION

Policy Revision 4 (April 2014)

Case ID No. 50006

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101428746

Media [Statute] Public Water Supply

Enf. Coordinator Ryan Byer

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code §§ 290.46(d)(2)(B) and 290.110(b)(4), and Tex. Health &amp; Safety Code § 341.0315(c)

## Violation Description

Failed to operate the disinfection equipment to maintain a disinfectant residual of at least 0.5 milligrams per liter ("mg/L") total chlorine throughout the distribution system at all times. Specifically, on December 16, 2014, a sample collected at the Plant 5 distribution system measured a total chlorine residual of 0.27 mg/L.

Base Penalty \$1,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 15.0%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to maintain proper levels of disinfection could result in customers of the Facility being exposed to significant amounts of contaminants which would not exceed levels that are protective of human health.

Adjustment \$850

\$150

## Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one  
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$150

One single event is recommended.

## Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$150

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$204

Violation Final Penalty Total \$173

This violation Final Assessed Penalty (adjusted for limits) \$173

# Economic Benefit Worksheet

**Respondent** MULTI-COUNTY WATER SUPPLY CORPORATION  
**Case ID No.** 50006  
**Reg. Ent. Reference No.** RN101428746  
**Media** Public Water Supply  
**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
no commas or \$							

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100	16-Dec-2014	30-Sep-2015	0.79	\$4	n/a	\$4

Notes for DELAYED costs

The delayed costs include the estimated amount to update the Facility's operational guidance and conduct employee training to ensure that a disinfectant residual concentration of at least 0.5 mg/L total chlorine is maintained, calculated from the investigation date to the estimated date of compliance.

## Avoided Costs

**ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$200	16-Dec-2014	17-Dec-2014	0.00	\$0	\$200	\$200
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount for additional maintenance and oversight to ensure an adequate disinfection residual is maintained throughout the distribution system, calculated for the date the low disinfectant residual was documented.

Approx. Cost of Compliance \$300

**TOTAL** \$204



Screening Date 11-Feb-2015

Docket No. 2015-0154-PWS-E

PCW

Respondent MULTI-COUNTY WATER SUPPLY CORPORATION

Policy Revision 4 (April 2014)

Case ID No. 50006

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN101428746

Media [Statute] Public Water Supply

Enf. Coordinator Ryan Byer

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code § 290.46(w)

## Violation Description

Failed to maintain internal procedures to notify the Executive Director by a toll-free reporting phone number immediately following certain events if the event may negatively impact the production or delivery of safe and adequate drinking water.

Base Penalty \$1,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 15.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$850

\$150

## Violation Events

Number of Violation Events 1

3

Number of violation days

mark only one  
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$150

One single event is recommended.

## Good Faith Efforts to Comply

25.0%

Reduction \$37

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes

The Respondent achieved compliance on December 19, 2014.

Violation Subtotal \$113

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$136

This violation Final Assessed Penalty (adjusted for limits) \$136

# Economic Benefit Worksheet

Respondent MULTI-COUNTY WATER SUPPLY CORPORATION  
 Case ID No. 50006  
 Reg. Ent. Reference No. RN101428746  
 Media Public Water Supply  
 Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$50	16-Dec-2014	19-Dec-2014	0.01	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the estimated amount to update and maintain complete internal procedures to notify the Executive Director of certain events that may negatively impact the production and delivery of safe and adequate drinking water, calculated from the date of the investigation to the date of compliance.

## Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$50

TOTAL

\$0



# Compliance History Report

**PUBLISHED** Compliance History Report for CN600653356, RN101428746, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

<b>Customer, Respondent, or Owner/Operator:</b>	CN600653356, MULTI-COUNTY WATER SUPPLY CORPORATION	<b>Classification:</b>	NOT APPLICABLE	<b>Rating:</b>	N/A
<b>Regulated Entity:</b>	RN101428746, MULTI-COUNTY WSC	<b>Classification:</b>	NOT APPLICABLE	<b>Rating:</b>	N/A
<b>Complexity Points:</b>	N/A	<b>Repeat Violator:</b>	N/A		
<b>CH Group:</b>	14 - Other				
<b>Location:</b>	4095 WEST US HIGHWAY 84, NEAR GATESVILLE, CORYELL COUNTY, TEXAS				
<b>TCEQ Region:</b>	REGION 09 - WACO				
<b>ID Number(s):</b>	PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0500044				

<b>Compliance History Period:</b>	September 01, 2009 to August 31, 2014	<b>Rating Year:</b>	2014	<b>Rating Date:</b>	09/01/2014
<b>Date Compliance History Report Prepared:</b>	February 11, 2015				
<b>Agency Decision Requiring Compliance History:</b>	Enforcement				
<b>Component Period Selected:</b>	February 11, 2010 to February 11, 2015				
<b>TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.</b>					
<b>Name:</b>	Ryan Byer		<b>Phone:</b>	(512) 239-2571	

## Site and Owner/Operator History:

- |  |     |
|--|-----|
| 1) Has the site been in existence and/or operation for the full five year compliance period?       | YES |
| 2) Has there been a (known) change in ownership/operator of the site during the compliance period? | NO  |
| 3) If <b>YES</b> for #2, who is the current owner/operator?  | N/A |
| 4) If <b>YES</b> for #2, who was/were the prior owner(s)/operator(s)?                              | N/A |
| 5) If <b>YES</b> , when did the change(s) in owner or operator occur?                              | N/A |

## Components (Multimedia) for the Site Are Listed in Sections A - J

### **A. Final Orders, court judgments, and consent decrees:**

N/A

### **B. Criminal convictions:**

N/A

### **C. Chronic excessive emissions events:**

N/A

### **D. The approval dates of investigations (CCEDS Inv. Track. No.):**

N/A

### **E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):**

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date:	07/30/2014	(1221476)	CN600653356
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.115(f)(1)		

Description: TTHM LRAA MCL 2Q2014 - During the 2nd quarter of 2014 the system violated the maximum contaminant level for trihalomethanes with a LRAA of .135 mg/L at Midway Church on CR 3640 (DBP2-01).

2 Date: 10/30/2014 (1221476) CN600653356  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)  
Description: TTHM LRAA MCL 3Q2014 - During the 3rd quarter of 2014 the system violated the maximum contaminant level for trihalomethanes with a LRAA of .151 mg/L at Midway Church on CR 3640 (DBP2-01).

3 Date: 01/13/2015 (1221476) CN600653356  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)  
Description: TTHM LRAA MCL 4Q2014 - During the 4th quarter of 2014 the system violated the maximum contaminant level for trihalomethanes with a LRAA of .131 mg/L at Midway Church on CR 3640 (DBP2-01).

**F. Environmental audits:**

N/A

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A

## Component Appendices

### Appendix A

#### All NOVs Issued During Component Period 2/11/2010 and 2/11/2015

1	Date:	02/06/2012	(974988)	CN600653356
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter F 290.110(b)(4)		
	Description:	Failure to maintain the residual disinfectant concentration in the far reaches of the distribution system at a minimum of 0.2 mg/L free chlorine or 0.5 mg/L total chlorine as per agency regulations.		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.42(e)(3)(G)		
	Description:	Failure to obtain approval to use a disinfectant other than chlorine.		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(2)		
	Description:	Failure to provide water system records that needed to be reviewed at the time of the investigation.		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.43(d)(3)		
	Description:	Failure to properly equip the pressure tank with some sanitary means of determining the air-to-water ratio.		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 290, SubChapter D 290.44(d)(2)		
	Description:	Failure to obtain approval for the use of in-line booster pumps.		
2*	Date:	07/30/2014	(1221476)	CN600653356
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.115(f)(1)		
	Description:	TTHM LRAA MCL 2Q2014 - During the 2nd quarter of 2014 the system violated the maximum contaminant level for trihalomethanes with a LRAA of .135 mg/L at Midway Church on CR 3640 (DBP2-01).		
3	Date:	10/30/2014	(1221476)	CN600653356
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.115(f)(1)		
	Description:	TTHM LRAA MCL 3Q2014 - During the 3rd quarter of 2014 the system violated the maximum contaminant level for trihalomethanes with a LRAA of .151 mg/L at Midway Church on CR 3640 (DBP2-01).		
4	Date:	01/13/2015	(1221476)	CN600653356
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 290, SubChapter F 290.115(f)(1)		
	Description:	TTHM LRAA MCL 4Q2014 - During the 4th quarter of 2014 the system violated the maximum contaminant level for trihalomethanes with a LRAA of .131 mg/L at Midway Church on CR 3640 (DBP2-01).		

\* NOVs applicable for the Compliance History rating period 9/1/2009 to 8/31/2014

### Appendix B

#### All Investigations Conducted During Component Period February 11, 2010 and February 11, 2015

Item 1	January 30, 2012**	(974988)
Item 2	March 08, 2012**	(989683)
Item 3	May 02, 2012**	(1001105)
Item 4	January 21, 2015	(1221476)
Item 5	January 23, 2015	(1221569)
Item 6	February 04, 2015	(1210336)

\* No violations documented during this investigation

\*\*Investigation applicable for the Compliance History Rating period between 09/01/2009 and 08/31/2014.



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
MULTI-COUNTY WATER SUPPLY  
CORPORATION  
RN101428746**

§  
§  
§  
§  
§  
§

**BEFORE THE  
  
TEXAS COMMISSION ON  
  
ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET NO. 2015-0154-PWS-E**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding MULTI-COUNTY WATER SUPPLY CORPORATION ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

### **I. FINDINGS OF FACT**

1. The Respondent owns and operates a public water supply at 4095 West United States Highway 84 near Gatesville, Coryell County, Texas (the "Facility") that has

approximately 1,230 service connections and serves at least 25 people per day for at least 60 days per year.

2. During an investigation conducted on December 16, 2014, TCEQ staff documented that the Respondent did not verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations.
3. During an investigation conducted on December 16, 2014, TCEQ staff documented that record of American National Standards Institute/National Sanitation Foundation ("ANSI/NSF") certification for the calcium hypochlorite ("HT") and liquid ammonium sulfate ("LAS") were not available for review.
4. During an investigation conducted on December 16, 2014, TCEQ staff documented that a sample collected at the Plant 5 distribution system measured a total chlorine residual of 0.27 milligrams per liter ("mg/L").
5. During an investigation conducted on December 16, 2014, TCEQ staff documented that the Respondent did not maintain internal procedures to notify the Executive Director by a toll-free reporting phone number immediately following certain events if the event may negatively impact the production or delivery of safe and adequate drinking water.
6. During a record review conducted from January 12, 2015 through January 23, 2015, TCEQ staff documented that the locational running annual average concentration for total trihalomethanes ("TTHM") at Stage 2 Disinfection Byproduct site 1 was 0.135 mg/L for the second quarter of 2014, 0.151 mg/L for the third quarter of 2014, and 0.131 mg/L for the fourth quarter of 2014.
7. The Respondent received notice of the violations on January 28, 2015 and February 13, 2015.
8. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
  - a. By December 17, 2014, submitted documentation that the residual disinfectant concentration in the water at the Plant 5 distribution system was 0.56 mg/L total chlorine.
  - b. By December 19, 2014, submitted a copy of the required internal procedures to notify the Executive Director of events that may negatively impact the production and delivery of safe and adequate drinking water.
  - c. By December 30, 2014, submitted documentation that it is verifying the accuracy of the manual disinfectant residual analyzers is being verified at least once every 90 days using chlorine solutions of known concentrations.



## II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 2, the Respondent failed to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(2)(C)(i).
3. As evidenced by Findings of Fact No. 3, the Respondent failed to make water works operation and maintenance records available for review by Commission personnel during the investigation, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2).
4. As evidenced by Findings of Fact No. 4, the Respondent failed to operate the disinfection equipment to maintain a disinfectant residual of at least 0.5 mg/L total chlorine throughout the distribution system at all times, in violation of 30 TEX. ADMIN. CODE §§ 290.46(d)(2)(B) and 290.110(b)(4), and TEX. HEALTH & SAFETY CODE § 341.0315(c).
5. As evidenced by Findings of Fact No. 5, the Respondent failed to maintain internal procedures to notify the Executive Director by a toll-free reporting phone number immediately following certain events if the event may negatively impact the production or delivery of safe and adequate drinking water, in violation of 30 TEX. ADMIN. CODE § 290.46(w).
6. As evidenced by Findings of Fact No. 6, the Respondent failed to comply with the maximum contaminant level ("MCL") of 0.080 mg/L for TTHM, based on the locational running annual average, in violation of 30 TEX. ADMIN. CODE § 290.115(f)(1) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
7. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
8. An administrative penalty in the amount of Eight Hundred Thirty-Eight Dollars (\$838) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent has paid the Eight Hundred Thirty-Eight Dollar (\$838) administrative penalty.

### III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Eight Hundred Thirty-Eight Dollars (\$838) as set forth in Section II, Paragraph 8 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: MULTI-COUNTY WATER SUPPLY CORPORATION, Docket No. 2015-0154-PWS-E" to:

Financial Administration Division, Revenue Operations Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order:
    - i. Begin compiling and maintaining properly completed monthly water works operations reports and maintenance records, including but not limited to: the ANSI/NSF certification for the HT and LAS, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
    - ii. Update the Facility's operational guidance, conduct employee training, and begin operating the system so that a disinfectant residual concentration of at least 0.5 mg/L total chlorine is maintained throughout the distribution system at all times, in accordance with 30 TEX. ADMIN. CODE § 290.110. This provision will be satisfied upon six months of daily compliant monitoring and reporting. Monitoring results shall be submitted to the addresses listed in Ordering Provision 2.e.
  - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.e., below, to demonstrate compliance with Ordering Provision No. 2.a.i.
  - c. Within 225 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision 2.e., below, to demonstrate compliance with Ordering Provision No. 2.a.ii.

MULTI-COUNTY WATER SUPPLY CORPORATION

DOCKET NO. 2015-0154-PWS-E

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- d. Within 365 days after the effective date of this Agreed Order, return to compliance with the MCL for TTHM, based on the locational running annual average, in accordance with 30 TEX. ADMIN. CODE § 290.115; and
- e. Within 380 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No 2.d. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team  
Enforcement Division, MC 149A  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

Water Section Manager  
Waco Regional Office  
Texas Commission on Environmental Quality  
6801 Sanger Avenue, Suite 2500  
Waco, Texas 76710-7826

and a copy to:

Public Drinking Water Section Manager  
Water Supply Division, MC 155  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.

MULTI-COUNTY WATER SUPPLY CORPORATION

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4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
6. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
9. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

MULTI-COUNTY WATER SUPPLY CORPORATION  
DOCKET NO. 2015-0154-PWS-E  
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## SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

  
For the Executive Director

8/24/15  
Date

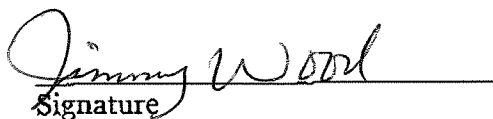
I, the undersigned, have read and understand the attached Agreed Order in the matter of MULTI-COUNTY WATER SUPPLY CORPORATION. I am authorized to agree to the attached Agreed Order on behalf of MULTI-COUNTY WATER SUPPLY CORPORATION, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, MULTI-COUNTY WATER SUPPLY CORPORATION waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

  
Signature

7-6-15  
Date

Jimmy Wood  
Name (Printed or typed)  
Authorized Representative of  
MULTI-COUNTY WATER SUPPLY CORPORATION

President for Board of Directors  
Title

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.